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**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF UTAH, CENTRAL DIVISION**

STATE OF UTAH, *et al.*,

Plaintiffs,

v.

DEB HAALAND, in her official capacity as
the Secretary of the U.S. Department of the
Interior, *et al.*,

Defendants,

and,

SOUTHERN UTAH WILDERNESS
ALLIANCE, *et al.*,

Proposed Defendant-Intervenors.

Case No. 2:24-cv-00438-DBB-DAO

**DEFENDANT-INTERVENOR'S
[PROPOSED] RESPONSE TO
PLAINTIFFS' COMPLAINT**

Judge David Barlow
Magistrate Judge Daphne Oberg

Pursuant to DUCivR 7-4(b)(2), Defendant-Intervenors Southern Utah Wilderness Alliance (“the SUWA Groups”) *et al.* submit this response to Plaintiffs State of Utah *et al.*’s Complaint (Dkt. No. 1).

The Bureau of Land Management’s decision and agency action finalizing the Conservation and Landscape Health Rule (Rule) is supported by substantial evidence and is not arbitrary and capricious. Therefore, the Court should uphold the Rule in its entirety.

Additionally, the SUWA Groups raise the following affirmative defense:

1. Plaintiffs fail to state a claim upon which relief may be granted for all or some of the claims in the Complaint;

Respectfully Submitted July 25, 2024

/s/ Stephen Bloch
Stephen Bloch
Michelle White

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